

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of the Special Business Meeting held November 23, 2004

A special business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:03 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Lori Wissler, Planning and Zoning Officer; Steve Stine, Township Solicitor; Jeff Staub, Dauphin Engineering, and Eric Kessler.

Pledge of Allegiance

Mr. Crissman led the recitation of the Pledge of Allegiance.

Public Comment

There was no public comment.

Revised preliminary/final land development plan for Meadowview Village

Mr. Hawk explained that a motion was made at the November 16, 2004 meeting to delay the decision on the revised preliminary/final land development plan for Meadowview Village until the evening of November 23, 2004. He noted that Ms. Wissler distributed a memorandum containing information regarding this plan.

Ms. Wissler explained that Dauphin Engineering submitted a revised plan with two waiver requests. She explained that BL Companies reviewed the submittal and provided a memo which she distributed. She noted that the memo dated November 23, 2004 stated that BL

Companies requested an additional waiver under storm water management for a low flow channel detail. She noted that Mr. Staub prepared a waiver request from this requirement.

Mr. Crissman questioned Ms. Wissler if she had an opportunity to review the new request from Mr. Staub. Ms. Wissler explained that BL Companies' recommendation is contained on the second page of their memo dated November 23, 2004. She noted that they do not have a problem with any of the waiver requests, but noted that they have added a condition to the third waiver for the under drain in the detention basin. She noted that they made a recommendation that the Township require having a concrete flow channel constructed in lieu of an earthen channel in an effort to decrease the potential water ponding at the bottom of the existing basin.

Mr. Staub noted that the three waivers address the storm water issues, but he did not agree with BL's recommendation of the construction of the concrete flow channel. He explained that there are three reasons for this. The first reason is the basin is not wet. Mr. Kessler noted that it is a well drained basin. Mr. Staub noted that the second reason is a practical matter of determining how to get concrete into the bottom of the basin without using a crane or a concrete pump. The third reason is that he believes that the under drains were installed. He noted that it was part of the original contract with Leon Wintermyer. Mr. Kessler noted that Leon Wintermyer was obligated to install the under drain in the bottom of the basin. He noted that he did not know if it was installed since it was underground and there was no evidence of it being constructed. He noted that short of digging it out, it is not certain whether it is in or not. He noted that the waiver was forwarded to the Township as an insurance policy in the event it was not constructed. He noted that he suspects that the under drains were installed since the basin is dry and this has been an extremely wet summer and fall. He noted that there are no issues with a wet pond. Mr.

Staub noted that the Township has a recommendation for the installation of concrete channels and he noted that he does not think it is necessary.

Mr. Seeds questioned the issue of the right-of-way on Newside Road. Mr. Staub noted that the plan was been revised to show the 30-feet total right-of-way width along Newside Road. He noted that it had been 15 feet, but he increased the right-of-way to 30-feet. Mr. Seeds questioned if this would be shown on the plan. Mr. Staub answered that it would. He noted that this change had no impact on the setbacks.

Mr. Seeds questioned if Mr. Lozanoff from BL Companies is in agreement with the waiver request. Ms. Wissler answered that Mr. Lozanoff had no problem with the first two waiver requests, but he did have a recommendation for the under drain. Mr. Seeds questioned Mr. Staub if he would be in agreement of Board Approval based on Mr. Lozanoff's November 23rd memo. Mr. Staub answered that he would with the exception of the need for a concrete channel. Mr. Kessler noted that the bottom of the basin is dry, and it is mowed by an outside maintenance company. He noted, to pour concrete onto something that is dry is silly. He noted that it is a big pond, and would be difficult to get someone down there to pour the concrete.

Mr. Blain questioned Ms. Wissler if she had inspected the site to acknowledge that the pond is not wet. Ms. Wissler answered that she has not inspected the site, since she only received the memo from Mr. Lozanoff today. Mr. Kessler suggested that someone should inspect the site, and he questioned if Mr. Lozanoff made this recommendation based on the plan only. Mr. Kessler noted that the Leon Wintermyer contract called for the underground work to be completed and it cannot be proved that it was installed, but he noted that the bottom of the pond area is dry. He noted that the storm water management system is doing what it was designed to do. Mr. Hawk noted that it has been an extremely wet year. Mr. Kessler noted that the pond was

built according to the specifications and is doing what it was supposed to do. Mr. Kessler noted that if this would become an issue in the future, he would have no problem revisiting this issue.

Mr. Staub noted that the Department of Environmental Protection (DEP) is currently promoting the idea of infiltrating through the storm, which means that having a low flow channel under a basin runs counter to that. That would promote water to be transported out of a basin very quickly, but he explained that the current idea is to let the water in the basin and infiltrate down into it. Mr. Wolfe noted that the Board of Supervisors has previously granted waivers based on this reason.

Mr. Seeds made a motion to approve the preliminary/final land development plan for Meadowview Village by granting the ten original waivers and the three additional waivers to total 13 waivers. Mr. Hawk suggested that Mr. Seeds recommend approval of the plan as indicated at the November 16, 2004 meeting with those waivers, to include the site specific conditions, general conditions and staff comments, and to also include the information contained in Mr. Lozanoff's November 23, 2004 memo. Mr. Seeds noted that this would exclude the recommendation found in the last sentence of the November 23rd memo under storm water management. Mr. Crissman seconded the motion. Mr. Hawk took a voice vote, and all members were in agreement. The motion passed unanimously.

Improvement Guarantee

Mr. Seeds had a question regarding the Sunny Hill Farms Improvement Guarantee. He questioned if the Township would be a party to the PPL Bond. Ms. Wissler answered that the Township would be a party to the Bond. Mr. Crissman made a motion to approve the Sunny Hill Farms Improvement Guarantee. Mr. Blain seconded the motion, and the motion carried unanimously.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 6:20 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary